

CLOSED, TYPE-I

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:05-cv-01812-RBW**

PRISON LEGAL NEWS v. LAPPIN
Assigned to: Judge Reggie B. Walton
Cause: 05:552 Freedom of Information Act

Date Filed: 09/13/2005
Date Terminated: 06/26/2006
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

PRISON LEGAL NEWS

represented by **Carl L. Messineo**
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V.

Defendant

HARLEY G. LAPPIN
 Director FEDERAL BUREAU OF
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Date Filed	#	Docket Text
09/13/2005	<u>1</u>	COMPLAINT against HARLEY G. LAPPIN (Filing fee \$ 250) filed by PRISON LEGAL NEWS.(td,) (Entered: 09/15/2005)
09/13/2005		SUMMONS (3) Issued as to HARLEY G. LAPPIN, U.S. Attorney and U.S. Attorney General (td,) (Entered: 09/15/2005)
09/28/2005	<u>2</u>	NOTICE of Appearance by Wyneva Johnson on behalf of HARLEY G. LAPPIN (Johnson, Wyneva) (Entered: 09/28/2005)
09/28/2005	<u>3</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 09/28/2005)

09/28/2005		MINUTE ORDER granting <u>3</u> Motion for Extension of Time to Answer. The defendants shall file an answer or otherwise respond to the plaintiff's complaint by 11/21/2005. Signed by Judge Reggie B. Walton on 9/28/05. (lcrbw1,) (Entered: 09/28/2005)
11/15/2005	<u>4</u>	Unopposed MOTION for Extension of Time to File Answer <i>or Respond</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 11/15/2005)
11/16/2005		MINUTE ORDER granting <u>4</u> Motion for Extension of Time to Answer. The defendant shall file an answer or otherwise respond to the plaintiff's complaint by 11/21/05. Signed by Judge Reggie B. Walton on 11/15/05. (lcrbw1,) (Entered: 11/16/2005)
11/21/2005	<u>5</u>	Unopposed MOTION for Extension of Time to File Answer <i>or Respond</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 11/21/2005)
11/30/2005		MINUTE ORDER granting <u>5</u> Motion for Extension of Time. The defendant shall file an answer or otherwise respond to the plaintiff's complaint by 11/30/2005. Signed by Judge Reggie B. Walton on 11/30/05. (lcrbw1,) (Entered: 11/30/2005)
11/30/2005	<u>6</u>	MOTION for Summary Judgment by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Statement of Facts # <u>2</u> Affidavit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit)(Johnson, Wyneva) (Entered: 11/30/2005)
12/07/2005	<u>7</u>	Consent MOTION for Extension of Time to <i>File Opposition to Summary Judgment</i> by PRISON LEGAL NEWS. (Elder, Edward) (Entered: 12/07/2005)
12/08/2005		MINUTE ORDER granting <u>7</u> Motion for Extension of Time. The plaintiff's opposition shall be filed by 12/23/05, and the defendant's reply shall be filed by 1/11/06. Signed by Judge Reggie B. Walton on 12/8/05. (lcrbw1,) (Entered: 12/08/2005)
12/23/2005	<u>8</u>	Second MOTION for Extension of Time to <i>File Opposition</i> by PRISON LEGAL NEWS. (Elder, Edward) (Entered: 12/23/2005)
12/23/2005		MUNUTE ORDER granting <u>8</u> Unopposed Motion for Extend Deadline for Plaintiff's Summary Judgment Opposition. The plaintiff shall file its opposition to the defendant's motion for summary judgment by December 30, 2005. Signed by Judge Reggie B. Walton on December 23, 2005. (lcrbw3,) (Entered: 12/23/2005)
12/30/2005	<u>9</u>	Memorandum in opposition to re <u>6</u> to Defendant's motion for summary judgment and Cross Motion for summary judgment in favor of Plaintiff filed by PRISON LEGAL NEWS. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Affidavit # <u>8</u> Affidavit # <u>9</u> Affidavit # <u>10</u> Affidavit # <u>11</u> Affidavit)(Elder, Edward) (Entered: 12/30/2005)
12/30/2005	<u>15</u>	CROSS MOTION for Summary Judgment by PRISON LEGAL NEWS. (Please see Document No. 9 for scanned images). (nmw,) (Entered: 02/01/2006)
01/03/2006	<u>10</u>	NOTICE of Separate Filing on Paper and Compact Disk of Exhibit 5 to PLN's Summary Judgment Opp. and Cross Motion for Summary Judgment by PRISON LEGAL NEWS re <u>9</u> Memorandum in Opposition, (Elder, Edward) (Entered: 01/03/2006)
01/10/2006	<u>11</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>9</u> Memorandum in Opposition, to Defendant's Motion for Summary Judgment and its Opposition to Plaintiff's Cross Motion for Summary Judgment by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 01/10/2006)
01/11/2006		MINUTE ORDER granting <u>11</u> Motion for Extension of Time. The defendant's reply shall be filed by 1/25/2006. Signed by Judge Reggie B. Walton on 1/11/06. (lcrbw1,) (Entered: 01/11/2006)
01/25/2006	<u>12</u>	MOTION for Extension of Time to File Response/Reply as to <u>9</u> Memorandum in Opposition, by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 01/25/2006)

01/26/2006		MINUTE ORDER granting <u>12</u> Motion for Extension of Time to File Response/Reply. The defendant's reply shall be filed by 1/31/06. Signed by Judge Reggie B. Walton on 1/26/06. (lcrbw1,) (Entered: 01/26/2006)
01/31/2006	<u>13</u>	REPLY to opposition to motion re <u>6</u> , i.e., <i>Defendant's Motion for Summary Judgment</i> filed by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Defendant's Opposition to Plaintiff's Statement of Material Facts Not in Dispute# <u>2</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 01/31/2006)
01/31/2006	<u>14</u>	RESPONSE to <u>15</u> <i>Plaintiff's Cross Motion for Summary Judgment (Opposition)</i> filed by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Defendant's Opposition to Plaintiff's Statement of Material Facts Not in Dispute# <u>2</u> Text of Proposed Order)(Johnson, Wyneva) Modified on 2/1/2006 (nmw,). (Entered: 01/31/2006)
02/10/2006	<u>16</u>	REPLY to opposition to motion re <u>9</u> Memorandum in Opposition, and <i>Cross Motion for Summary Judgment</i> filed by PRISON LEGAL NEWS. (Elder, Edward) (Entered: 02/10/2006)
06/26/2006	<u>17</u>	ORDER denying <u>6</u> Motion for Summary Judgment, granting <u>15</u> Motion for Summary Judgment. Signed by Judge Reggie B. Walton on 6/26/06. (lcrbw1,) (Entered: 06/26/2006)
06/26/2006	<u>18</u>	MEMORANDUM AND OPINION. Signed by Judge Reggie B. Walton on 6/26/06. (lcrbw1,) (Entered: 06/26/2006)
07/06/2006	<u>19</u>	Consent MOTION for Extension of Time to <i>File Fee Petition</i> by PRISON LEGAL NEWS. (Attachments: # <u>1</u> Text of Proposed Order)(Elder, Edward) (Entered: 07/06/2006)
07/07/2006		MINUTE ORDER granting <u>19</u> Motion for Extension of Time. The plaintiff shall file a motion for attorney's fees by 8/9/06. The government shall file any opposition by 9/6/06, and any reply thereto shall be filed by 9/20/06. Signed by Judge Reggie B. Walton on 7/7/06. (lcrbw1,) (Entered: 07/07/2006)
08/09/2006	<u>20</u>	MOTION for Attorney Fees and Costs by PRISON LEGAL NEWS. (Attachments: # <u>1</u> Memoranda in Support# <u>2</u> Appendix Accounting of Fees and Costs)(Elder, Edward) (Entered: 08/09/2006)
08/11/2006	<u>21</u>	Amended MOTION for Attorney Fees and Costs by PRISON LEGAL NEWS. (Attachments: # <u>1</u> Memoranda in Support# <u>2</u> Affidavit Of Edward J. Elder# <u>3</u> Attachment A# <u>4</u> Attachment B# <u>5</u> Attachment C# <u>6</u> Text of Proposed Order)(Elder, Edward) (Entered: 08/11/2006)
08/11/2006	<u>22</u>	ERRATA by PRISON LEGAL NEWS <u>21</u> Amended MOTION for Attorney Fees and Costs filed by PRISON LEGAL NEWS,. (Attachments: # <u>1</u> Memorandum in Support of Amended Motion for Attorney's Fees and Costs)(Elder, Edward) (Entered: 08/11/2006)
08/29/2006	<u>23</u>	RESPONSE TO ORDER OF THE COURT re <u>17</u> Order on Motion for Summary Judgment, filed by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Exhibit Declaration of Wilson J. Moorer# <u>2</u> Exhibit)(Johnson, Wyneva) (Entered: 08/29/2006)
09/05/2006		MINUTE ORDER. In accordance with the Court's June 26, 2006 Order, the defendant shall advise the Court by September 15, 2006, of the time that will be required to process the plaintiff's FOIA request. Signed by Judge Reggie B. Walton on 9/5/06. (lcrbw2,) (Entered: 09/05/2006)
09/06/2006	<u>24</u>	Unopposed MOTION for Extension of Time to <i>file its Response to plaintiff's Amended Petition for Attorney's Fees</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 09/06/2006)
09/06/2006	<u>25</u>	ERRATA (RE: Document #24) by HARLEY G. LAPPIN <u>24</u> Unopposed MOTION for Extension of Time to <i>file its Response to plaintiff's Amended Petition for Attorney's Fees</i> filed by HARLEY G. LAPPIN,. (Attachments: # <u>1</u> Defendant's Unopposed Motion for Enlargement of Time# <u>2</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 09/06/2006)
09/08/2006		ORDER granting <u>24</u> , <u>25</u> Motion for Extension of Time. The defendant shall file its response to plaintiff's amended petition for attorney's fees by September 13, 2006.

		Signed by Judge Reggie B. Walton on 9/8/06. (lcrbw2,) (Entered: 09/08/2006)
09/13/2006	<u>26</u>	STIPULATION <i>and Order Concerning Attorney's Fees and Costs</i> by HARLEY G. LAPPIN. (Johnson, Wyneva) Additional attachment(s) added on 9/19/2006 (mpt,). (Entered: 09/13/2006)
09/15/2006	<u>27</u>	Unopposed MOTION for Extension of Time to <i>advise the Court of time required to process Plaintiff's FOIA request</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Moorer Declaration# <u>2</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 09/15/2006)
09/18/2006		MINUTE ORDER denying as moot <u>20</u> Motion for Attorney Fees, denying as moot <u>21</u> Amended Motion for Attorney Fees. Signed by Judge Reggie B. Walton on 9/18/06. (lcrbw2) (Entered: 09/18/2006)
09/18/2006		MINUTE ORDER granting <u>27</u> Motion for Extension of Time. The defendant shall have up to and including September 29, 2006 to advise the Court of the time that will be required to process the plaintiff's FOIA request. Signed by Judge Reggie B. Walton on 9/18/06. (lcrbw2) (Entered: 09/18/2006)
09/28/2006	<u>28</u>	MOTION for Extension of Time to <i>process plaintiff's FOIA request</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 09/28/2006)
09/29/2006		MINUTE ORDER granting <u>28</u> Motion for Extension of Time. The defendant shall advise the Court of the time that will be required to process the plaintiff's FOIA request by November 1, 2006. Signed by Judge Reggie B. Walton on 9/29/06. (lcrbw2) (Entered: 09/29/2006)
11/01/2006	<u>29</u>	Consent MOTION for Extension of Time to <i>advise the Court of the time that will be required to process plaintiff's FOIA request</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 11/01/2006)
11/02/2006	<u>30</u>	MOTION for Extension of Time to <i>advise the Court of the time that will be required to process Plaintiff's FOIA request</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Exhibit Declaration of Wilson J. Moorer# <u>2</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 11/02/2006)
11/09/2006		MINUTE ORDER denying as moot <u>29</u> Motion for Extension of Time. Signed by Judge Reggie B. Walton on 11/09/06. (lcrbw2) (Entered: 11/09/2006)
11/09/2006		MINUTE ORDER granting <u>30</u> Motion for Extension of Time. The defendant shall advise the Court of the time that will be required to process the plaintiff's FOIA request by December 1, 2006. Signed by Judge Reggie B. Walton on 11/9/06. (lcrbw2) (Entered: 11/09/2006)
12/01/2006	<u>31</u>	MOTION for Extension of Time to <i>advise the Court of the time that will be required to process plaintiff's FOIA request</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 12/01/2006)
12/07/2006		MINUTE ORDER granting <u>31</u> Motion for Extension of Time. The defendant shall advise the Court of the time that will be required to process the plaintiff's FOIA request by January 12, 2007. Signed by Judge Reggie B. Walton on 12/7/06. (lcrbw2) (Entered: 12/07/2006)
01/12/2007	<u>32</u>	MOTION for Extension of Time to <i>to advise the Court of the time that will be required to process plaintiff's FOIA request</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 01/12/2007)
01/16/2007	<u>33</u>	NOTICE of Appearance by James R. Klimaski on behalf of PRISON LEGAL NEWS (Klimaski, James) (Entered: 01/16/2007)
01/17/2007		MINUTE ORDER granting <u>32</u> Motion for Extension of Time. The defendant shall advise the Court of the time that will be required to process the plaintiff's FOIA request by February 12, 2007. Signed by Judge Reggie B. Walton on 1/17/07. (lcrbw2) (Entered: 01/17/2007)

02/09/2007	<u>34</u>	Unopposed MOTION for Extension of Time to <i>process plaintiff's FOIA request</i> by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Affidavit Declaration of Wilson J. Moorer# <u>2</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 02/09/2007)
02/15/2007		MINUTE ORDER granting <u>34</u> Motion for Extension of Time. The defendant shall process the plaintiff's FOIA request by March 20, 2007. Signed by Judge Reggie B. Walton on 2/15/07. (lcrbw2) (Entered: 02/15/2007)
02/15/2007		Set/Reset Deadlines: Plaintiff's FOIA request due by 3/20/2007 (mpt,) (Entered: 02/15/2007)
03/30/2007	<u>35</u>	MOTION for Extension of Time to <i>Respond to Court Order</i> by HARLEY G. LAPPIN (Attachments: # <u>1</u> Affidavit Declaration of Wilson J. Moorer# <u>2</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 03/30/2007)
04/09/2007		MINUTE ORDER granting <u>35</u> Motion for Extension of Time. The defendant shall process the plaintiff's FOIA request by April 30, 2007. Signed by Judge Reggie B. Walton on 4/9/07. (lcrbw2) (Entered: 04/09/2007)
05/08/2007	<u>36</u>	Unopposed MOTION for Extension of Time to by HARLEY G. LAPPIN (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit Letter)(Johnson, Wyneva) (Entered: 05/08/2007)
05/08/2007		MINUTE ORDER granting <u>36</u> Motion for Extension of Time. The defendant shall process the plaintiff's FOIA request by June 8, 2007. Signed by Judge Reggie B. Walton on 5/8/07. (lcrbw2) (Entered: 05/08/2007)
05/09/2007		Set/Reset Deadlines: Defendant shall process the plaintiff's FOIA request by 6/8/2007 (mpt,) (Entered: 05/09/2007)
06/12/2007	<u>37</u>	Unopposed MOTION for Extension of Time to by HARLEY G. LAPPIN (Attachments: # <u>1</u> Exhibit Letter# <u>2</u> Affidavit Declaration of Wilson Moore# <u>3</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 06/12/2007)
06/13/2007		MINUTE ORDER granting <u>37</u> Motion for Extension of Time. The defendant shall respond to the plaintiff's FOIA request by July 27, 2007. Signed by Judge Reggie B. Walton on 6/13/07. (lcrbw2) (Entered: 06/13/2007)
06/14/2007		Set/Reset Deadlines: Respond to plaintiff's FOIA request due by 7/27/2007 (mpt,) (Entered: 06/14/2007)
08/30/2007	<u>38</u>	MOTION for Extension of Time to File Response/Reply by HARLEY G. LAPPIN (Attachments: # <u>1</u> Declaration # <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 08/30/2007)
08/30/2007	<u>39</u>	ERRATA by HARLEY G. LAPPIN <u>38</u> MOTION for Extension of Time to File Response/Reply filed by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Errata Motion for Enlargement of Time)(Johnson, Wyneva) (Entered: 08/30/2007)
09/12/2007	<u>40</u>	NOTICE of Change of Address by James R. Klimaski (Klimaski, James) (Entered: 09/12/2007)
09/12/2007	<u>41</u>	Memorandum in opposition to re <u>38</u> MOTION for Extension of Time to File Response/Reply <i>further delaying overdue FOIA releases ordered by the Court in June of 2006</i> filed by PRISON LEGAL NEWS. (Attachments: # <u>1</u> Klimaski Letter to AUSA W. Johnson# <u>2</u> Example of improper FOIA redactions# <u>3</u> Another example# <u>4</u> And another of many...)(Klimaski, James) (Entered: 09/12/2007)
09/24/2007	<u>42</u>	REPLY to opposition to motion re <u>38</u> MOTION for Extension of Time to File Response/Reply filed by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Exhibit A -- Declaration of Wilson J. Moorer# <u>2</u> Exhibit B)(Johnson, Wyneva) (Entered: 09/24/2007)
09/25/2007	<u>43</u>	NOTICE of Filing of Signed Declaration of Wilson J. Moorer and Substitution of Exhibit A by HARLEY G. LAPPIN re <u>42</u> Reply to opposition to Motion (Attachments: # <u>1</u> Affidavit Declaration of Wilson J. Moorer with Exhibit A)(Johnson, Wyneva) (Entered: 09/25/2007)

10/01/2007		MINUTE ORDER granting <u>38</u> Motion for Extension of Time to File Response/Reply. The defendant shall respond to the plaintiff's FOIA request by November 2, 2007. The parties shall file a briefing schedule by November 9, 2007. Signed by Judge Reggie B. Walton on 10/1/07. (lcrbw2) (Entered: 10/01/2007)
10/01/2007		Set/Reset Deadlines: Briefing schedule due by 11/9/2007., Responses to plaintiff's FOIA request due by 11/2/2007 (mpt,) (Entered: 10/01/2007)
10/03/2007	<u>44</u>	NOTICE of Appearance by Edward J. Elder on behalf of PRISON LEGAL NEWS (Elder, Edward) (Entered: 10/03/2007)
11/09/2007	<u>45</u>	STATUS REPORT <i>Submitting Joint Briefing Schedule</i> by PRISON LEGAL NEWS. (Elder, Edward) (Entered: 11/09/2007)
01/18/2008	<u>46</u>	Consent MOTION for Extension of Time to File <i>Briefs</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Text of Proposed Order)(Elder, Edward) (Entered: 01/18/2008)
01/31/2008		MINUTE ORDER granting <u>46</u> Motion for Extension of Time to File. The plaintiff shall file its dispositive motion by February 8, 2008, the defendant shall file an opposition and cross motion by March 21, 2008, the plaintiff shall file its reply and opposition by April 11, 2008, and the defendant shall file its reply by May 2, 2008. Signed by Judge Reggie B. Walton on 1/31/08. (lcrbw2) (Entered: 01/31/2008)
01/31/2008		Set/Reset Deadlines: Dispositive Motions due by 2/8/2008. Opposition and Cross Motion due by 3/21/2008; reply and opposition due by 4/11/08; any replies due by 5/2/2008. (mpt,) (Entered: 01/31/2008)
02/08/2008	<u>47</u>	Consent MOTION to Amend/Correct <i>Briefing Schedule</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Text of Proposed Order)(Elder, Edward) (Entered: 02/08/2008)
02/12/2008		MINUTE ORDER granting <u>47</u> Motion to Amend/Correct. The plaintiff shall file its dispositive motion by February 29, 2008, the defendant shall file an opposition and cross motion by April 11, 2008, the plaintiff shall file its reply and opposition by May 2, 2008, and the defendant shall file its reply by May 23, 2008. Signed by Judge Reggie B. Walton on 2/12/08. (lcrbw2) (Entered: 02/12/2008)
02/12/2008		Set/Reset Deadlines: Dispositive Motions due by 2/29/2008. Opposition to Dispositive Motions and Cross Motion due by 4/11/2008. Plaintiff's Reply and Opposition due by 5/2/2008, and defendant's reply by 5/23/08. (mpt,) (Entered: 02/12/2008)
02/29/2008	<u>48</u>	Consent MOTION to Amend/Correct <i>Briefing Schedule</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Text of Proposed Order)(Elder, Edward) (Entered: 02/29/2008)
03/12/2008		MINUTE ORDER granting <u>48</u> Motion to Amend/Correct. The plaintiff shall file its dispositive motion by March 28, 2008, the defendant shall file an opposition and cross motion by May 9, 2008, the plaintiff shall file its reply and opposition by May 30, 2008, and the defendant shall file its reply by June 20, 2008. Signed by Judge Reggie B. Walton on 3/12/08. (lcrbw2) (Entered: 03/12/2008)
03/12/2008		Set/Reset Deadlines: Dispositive Motions due by 3/28/2008; Opposition and cross motion due by 5/9/2008; Reply and opposition by 5/30/2008; reply due by 6/20/08; (mpt,) (Entered: 03/12/2008)
03/28/2008	<u>49</u>	MOTION for Judgment by PRISON LEGAL NEWS (Attachments: # <u>1</u> Memoranda, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit 1-1, # <u>4</u> Exhibit 1-2, # <u>5</u> Exhibit 1-3, # <u>6</u> Exhibit 1-4, # <u>7</u> Exhibit 2-1, # <u>8</u> Exhibit 2-2, # <u>9</u> Exhibit 2-3, # <u>10</u> Exhibit 2-4, # <u>11</u> Exhibit 3-1, # <u>12</u> Exhibit 3-2, # <u>13</u> Exhibit 3-3, # <u>14</u> Exhibit 3-4, # <u>15</u> Exhibit 3-5, # <u>16</u> Exhibit 4-1, # <u>17</u> Exhibit 4-2, # <u>18</u> Exhibit 4-3, # <u>19</u> Exhibit 4-4, # <u>20</u> Exhibit 5-1, # <u>21</u> Exhibit 5-2, # <u>22</u> Exhibit 5-3, # <u>23</u> Exhibit 5-4, # <u>24</u> Exhibit 5-5, # <u>25</u> Exhibit 6-1, # <u>26</u> Exhibit 6-2, # <u>27</u> Exhibit 6-3)(Elder, Edward) (Entered: 03/29/2008)
05/06/2008	<u>50</u>	Consent MOTION to Amend/Correct Order on Motion to Amend/Correct, Set/Reset Deadlines by HARLEY G. LAPPIN (Attachments: # <u>1</u> Text of Proposed Order Order)(Johnson, Wyneva) (Entered: 05/06/2008)

06/05/2008	<u>51</u>	MOTION to Amend/Correct <i>Briefing Schedule</i> by HARLEY G. LAPPIN (Attachments: # <u>1</u> Text of Proposed Order Order)(Johnson, Wyneva) (Entered: 06/05/2008)
06/26/2008	<u>52</u>	Consent MOTION for Extension of Time to Amend <i>Briefing Schedule</i> by HARLEY G. LAPPIN (Attachments: # <u>1</u> Text of Proposed Order Order)(Johnson, Wyneva) (Entered: 06/26/2008)
07/14/2008	<u>53</u>	Cross MOTION for Summary Judgment by HARLEY G. LAPPIN (Attachments: # <u>1</u> Affidavit Wilson Moorer Declaration, # <u>2</u> Text of Proposed Order Order)(Johnson, Wyneva) (Entered: 07/14/2008)
07/14/2008	<u>54</u>	Memorandum in opposition to re <u>49</u> MOTION for Judgment filed by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Affidavit Wilson Moorer Declaration, # <u>2</u> Text of Proposed Order Order)(Johnson, Wyneva) (Entered: 07/14/2008)
07/24/2008		ORDER denying as moot <u>50</u> Motion to Amend/Correct; denying as moot <u>51</u> Motion to Amend/Correct; granting <u>52</u> Motion for Extension of Time to Amend. the defendant has filed its opposition and cross motion for summary judgment on July 14, 2008. The plaintiff shall file its reply and opposition by August 4, 2008. The defendant shall file its reply brief by August 25, 2008. Signed by Judge Reggie B. Walton on 7/24/08. (lcrbw2) (Entered: 07/24/2008)
07/25/2008		Set/Reset Deadlines: Reply and Opposition due by 8/4/2008; Reply Brief due by 8/25/2008. (mpt,) (Entered: 07/25/2008)
08/03/2008	<u>55</u>	Consent MOTION to Amend/Correct <i>Briefing Schedule</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Text of Proposed Order to Amend Briefing Schedule)(Elder, Edward) (Entered: 08/03/2008)
08/25/2008	<u>56</u>	Consent MOTION to Amend/Correct <i>Briefing Schedule</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Text of Proposed Order)(Elder, Edward) (Entered: 08/25/2008)
09/02/2008		MINUTE ORDER denying as moot <u>55</u> Motion to Amend/Correct the Briefing Schedule; granting <u>56</u> Motion to Amend/Correct the Briefing Schedule. The plaintiff shall file a reply to the defendant's opposition to the plaintiff's motion for summary judgment and an opposition to the defendant's cross motion for summary judgment by September 8, 2008. The defendant shall file a reply to the plaintiff's opposition to the defendant's cross motion for summary judgment by September 29, 2008. Signed by Judge Reggie B. Walton on 9/2/08. (lcrbw2) (Entered: 09/02/2008)
09/02/2008		Set/Reset Deadlines/Hearings: The plaintiff shall file a reply to the defendant's opposition to the plaintiff's motion for summary judgment and an opposition to the defendant's cross motion for summary judgment by September 8, 2008. The defendant shall file a reply to the plaintiff's opposition to the defendant's cross motion for summary judgment by September 29, 2008. (jwd) (Entered: 09/02/2008)
09/08/2008	<u>57</u>	Memorandum in opposition to re <u>53</u> Cross MOTION for Summary Judgment filed by PRISON LEGAL NEWS. (Attachments: # <u>1</u> Statement of Facts in opposition to Defendant's Statement of Facts, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit One, # <u>4</u> Exhibit Two, # <u>5</u> Exhibit Three, # <u>6</u> Exhibit Four, # <u>7</u> Exhibit Five, # <u>8</u> Exhibit Six)(Elder, Edward) (Entered: 09/08/2008)
09/25/2008	<u>58</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>53</u> Cross MOTION for Summary Judgment by HARLEY G. LAPPIN (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 09/25/2008)
09/29/2008		MINUTE ORDER granting <u>58</u> Motion for Extension of Time to File Response/Reply. The defendant shall file his reply to the plaintiff's opposition to the defendant's cross motion for summary judgment by October 31, 2008. Signed by Judge Reggie B. Walton on 09/29/08. (lcrbw2) (Entered: 09/29/2008)
09/29/2008		Set/Reset Deadlines: Reply to plaintiff's opposition to cross motion for summary judgment due by 10/31/2008. (mpt,) (Entered: 09/29/2008)

10/29/2008	<u>59</u>	MOTION for Extension of Time to File Response/Reply <i>Plaintiff's Opposition</i> by HARLEY G. LAPPIN (Attachments: # <u>1</u> Text of Proposed Order Order)(Johnson, Wyneva) (Entered: 10/29/2008)
10/30/2008		MINUTE ORDER granting <u>59</u> Motion for Extension of Time to File Response/Reply. The defendant shall file his reply to the plaintiff's opposition to the defendant's cross motion for summary judgment by November 14, 2008. Signed by Judge Reggie B. Walton on 10/30/08. (lcrbw2) (Entered: 10/30/2008)
10/30/2008		Set/Reset Deadlines: Reply to plaintiff's opposition to the defendant's cross motion for summary judgment due by 11/14/2008. (mpt,) (Entered: 10/30/2008)
03/26/2009	<u>60</u>	ORDER granting <u>49</u> Motion for Judgment; denying without prejudice <u>53</u> Motion for Summary Judgment. The plaintiff's motion for summary judgment is granted. The defendant's motion for summary judgment is denied without prejudice. The Bureau must either conduct anew its searches for the records sought by the plaintiff or submit an affidavit or alternative submission that adequately demonstrates consistent with the accompanying opinion that the Bureau employed search methods reasonably likely to lead to the discovery of records responsive to the plaintiff's request and that the responsive documents and parts of documents not produced to the plaintiff have properly been withheld under the FOIA exemptions claimed by the Bureau. The parties shall submit a joint scheduling order proposing how they wish to resolve this case within thirty days of the issuance of this Order. Signed by Judge Reggie B. Walton on 03/26/09. (lcrbw2) (Entered: 03/26/2009)
03/26/2009	<u>61</u>	MEMORANDUM AND OPINION. An Order consistent with the Courts ruling <u>60</u> accompanies this Memorandum Opinion. Signed by Judge Reggie B. Walton on 03/26/09. (lcrbw2) (Entered: 03/26/2009)
04/08/2009	<u>62</u>	MOTION for Reconsideration re <u>61</u> Memorandum & Opinion, <u>60</u> Order on Motion for Judgment,,, Order on Motion for Summary Judgment,,, by HARLEY G. LAPPIN (Attachments: # <u>1</u> Memorandum in Support Reply Memorandum, # <u>2</u> Statement of Facts Supplemental Statement of Facts, # <u>3</u> Affidavit Moorer Declaration, # <u>4</u> Affidavit Blow Declaration, # <u>5</u> Affidavit Cassillas Declaration, # <u>6</u> Affidavit Fornhill Declaration, # <u>7</u> Affidavit Lawler Declaration, # <u>8</u> Affidavit Osborn Declaration, # <u>9</u> Affidavit Petricka Declaration, # <u>10</u> Affidavit Sankey Declaration, # <u>11</u> Affidavit Summers Declaration, # <u>12</u> Affidavit Tuft Declaration, # <u>13</u> Affidavit White Declaration, # <u>14</u> Affidavit Williams Declaration, # <u>15</u> Affidavit Tafelski Declaration, # <u>16</u> Text of Proposed Order Proposed Order)(Johnson, Wyneva) (Entered: 04/08/2009)
04/14/2009	<u>63</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to PRISON LEGAL NEWS. Attorney James R. Klimaski and Lynn Ilene Miller terminated. (Klimaski, James) (Entered: 04/14/2009)
04/16/2009	<u>64</u>	NOTICE of Appearance by Carl L. Messineo on behalf of PRISON LEGAL NEWS (Messineo, Carl) (Entered: 04/16/2009)
04/16/2009	<u>65</u>	NOTICE of Appearance by Mara E. Verheyden-Hilliard on behalf of PRISON LEGAL NEWS (Verheyden-Hilliard, Mara) (Entered: 04/16/2009)
04/16/2009	<u>66</u>	NOTICE of Appearance by Radhika M.S. Miller on behalf of PRISON LEGAL NEWS (Miller, Radhika) (Entered: 04/16/2009)
04/21/2009	<u>67</u>	Memorandum in opposition to re <u>62</u> MOTION for Reconsideration re <u>61</u> Memorandum & Opinion, <u>60</u> Order on Motion for Judgment,,, Order on Motion for Summary Judgment,,, MOTION for Reconsideration re <u>61</u> Memorandum & Opinion, <u>60</u> Order on Motion for Judgment,,, Order on Motion for Summary Judgment,,, MOTION for Reconsideration re <u>61</u> Memorandum & Opinion, <u>60</u> Order on Motion for Judgment,,, Order on Motion for Summary Judgment,,, MOTION for Reconsideration re <u>61</u> Memorandum & Opinion, <u>60</u> Order on Motion for Judgment,,, Order on Motion for Summary Judgment,,, filed by PRISON LEGAL NEWS. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Text of Proposed Order Alternative Proposed Order)(Messineo, Carl) (Entered: 04/21/2009)
02/25/2010	<u>68</u>	ORDER denying without prejudice <u>62</u> Motion for Reconsideration. For the reasons set forth in this order, the motion for reconsideration is denied without prejudice. Signed by Judge Reggie B. Walton on 02/25/10. (lcrbw2) (Entered: 02/25/2010)

03/04/2010	<u>69</u>	Consent MOTION for Extension of Time to <i>RESPOND TO THE COURTS FEBRUARY 25, 2010 ORDER</i> by HARLEY G. LAPPIN (Johnson, Wyneva) (Entered: 03/04/2010)
03/04/2010		MINUTE ORDER granting <u>69</u> Motion for Extension of Time. Upon consideration of Defendant's Consent Motion for Enlargement of Time to Respond to the Court's February 25, 2010 Order, and for good cause shown, it is hereby 4th day of March, 2010, ORDERED that Defendant's motion is GRANTED; and it is FURTHER ORDERED that Defendant may have up to and including March 17, 2010, to respond to the Court's February 25, 2010 Order. Signed by Judge Reggie B. Walton on 03/04/10. (lcrbw2) (Entered: 03/04/2010)
03/05/2010		Set/Reset Deadlines: Response to Court's February 25, 2010 Order due by 3/17/2010 (mpt,) (Entered: 03/05/2010)
03/17/2010	<u>70</u>	MOTION for Extension of Time to <i>RESPOND TO THE COURT'S FEBRUARY 25, 2010 ORDER</i> by HARLEY G. LAPPIN (Johnson, Wyneva) (Entered: 03/17/2010)
04/01/2010		MINUTE ORDER granting <u>70</u> Motion for Extension of Time. Upon the Court's review of the defendant's motion for an enlargement of time to respond to the Court's February 25, 2010, which the defendant stated was opposed by the plaintiff, but to which the plaintiff never filed an opposition, the Court finds that good cause exists to grant the motion. The defendant shall have until May 17, 2010, to respond to the Court's February 25, 2010 Order. The defendant shall file any motion for summary judgment that it intends to file by June 1, 2010. Signed by Judge Reggie B. Walton on 04/01/10. (lcrbw2) (Entered: 04/01/2010)
04/01/2010		Set/Reset Deadlines: Respond to February 25, 2010 Order due by 5/17/2010; Summary Judgment motions due by 6/1/2010. (mpt,) (Entered: 04/01/2010)
05/17/2010	<u>71</u>	RESPONSE TO ORDER OF THE COURT re <u>68</u> Order on Motion for Reconsideration filed by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Declaration Supplemental Declaration of Wilson J. Moorer, # <u>2</u> Exhibit Vaughn Index, # <u>3</u> Declaration Declaration of Kimberly Blow, # <u>4</u> Declaration Declaration of Docia M. Casillas, # <u>5</u> Declaration Declaration of Renee Brinker Fornshill, # <u>6</u> Declaration Declaration of Christine M. Greene, # <u>7</u> Declaration Declaration of Cynthia Lawler, # <u>8</u> Declaration Declaration of Vickie Petricka, # <u>9</u> Declaration Declaration of Alecia S. Sillah, # <u>10</u> Declaration Declaration of Karen Summers, # <u>11</u> Declaration Declaration of Michael D. Tafelski, # <u>12</u> Declaration Declaration of Leeann Tufte, # <u>13</u> Declaration Declaration of Kathleen White, # <u>14</u> Declaration Declaration of Deidre J. Williams)(Johnson, Wyneva) (Entered: 05/17/2010)
05/20/2010	<u>72</u>	NOTICE of Filing of Corrected Declaration of Alecia S. Sillah by HARLEY G. LAPPIN re <u>71</u> Response to Order of the Court,,, (Attachments: # <u>1</u> Declaration Corrected Declaration of Alecia S. Sillah)(Johnson, Wyneva) (Entered: 05/20/2010)
06/01/2010	<u>73</u>	Cross MOTION for Summary Judgment <i>and Memorandum in Support</i> by HARLEY G. LAPPIN (Attachments: # <u>1</u> Statement of Facts Second Supplemental Statement of Material Facts, # <u>2</u> Declaration May 28, 2010 Supplemental Moorer Declaration, # <u>3</u> Declaration May 14, 2010 Supplemental Moorer Declaration, # <u>4</u> Exhibit Vaughn Index, # <u>5</u> Declaration Karen Blow Declaration, # <u>6</u> Declaration Rene Brinker-Fornshill Declaration, # <u>7</u> Declaration Kathleen White Declaration, # <u>8</u> Declaration Deidre J. Williams Declaration, # <u>9</u> Declaration Cynthia Lawler Declaration, # <u>10</u> Declaration Docia M. Casillas Declaration, # <u>11</u> Declaration LeeAnn Tufte Declaration, # <u>12</u> Declaration Michael D. Tafelski Declaration, # <u>13</u> Declaration Alecia S. Sillah Declaration, # <u>14</u> Declaration Karen Summers Declaration, # <u>15</u> Declaration Christine M. Greene Declaration, # <u>16</u> Declaration Vickie Petricka Declaration)(Johnson, Wyneva) (Entered: 06/01/2010)
06/16/2010	<u>74</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>73</u> Cross MOTION for Summary Judgment <i>and Memorandum in Support</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Text of Proposed Order Granting Extension)(Elder, Edward) (Entered: 06/16/2010)
06/16/2010	<u>75</u>	Consent MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Adam K Cook, :Firm- Human Rights Defense Center, :Address- 1037 Western Avenue, Brattleboro, VT, 05303. Phone No. - 802-257-1342. Fax No. - 866-735-7136 by

		PRISON LEGAL NEWS (Attachments: # <u>1</u> Text of Proposed Order Granting Motion)(Elder, Edward) (Entered: 06/16/2010)
06/16/2010		MINUTE ORDER granting <u>75</u> Motion for Leave to Appear Pro Hac Vice. Upon consideration of the Motion to Appear Pro Hac Vice, and the accompanying Declaration of Adam Cook, constituting Adam K. Cook's Application for Admission Pro Hac Vice, it is this 16th day of June, 2010, hereby ORDERED that the motion is GRANTED; and it is further ORDERED that Adam K. Cook may appear before this Court pro hac vice as counsel for the Plaintiff in the above-captioned matter. Signed by Judge Reggie B. Walton on 06/16/10. (lcrbw2) (Entered: 06/16/2010)
06/16/2010		MINUTE ORDER granting <u>74</u> Motion for Extension of Time to File Response/Reply. Upon consideration of the Plaintiff's Consent Motion to Enlarge, it is hereby: ORDERED that the motion is GRANTED; Plaintiff's reply to the Defendant's Renewed Cross Motion for Summary Judgment is due on August 2nd, 2010 and it is further; ORDERED that the Defendant's reply date the Plaintiff's filing is due on August 27th, 2010. Signed by Judge Reggie B. Walton on 06/16/10. (lcrbw2) (Entered: 06/16/2010)
06/17/2010		Set/Reset Deadlines: Plaintiff's to the Defendant's Cross Motion for Summary Judgment is due by 8/2/2010. Defendant's Reply to the Plaintiff's filing is due by 8/27/2010. (tg,) (Entered: 06/17/2010)
06/17/2010	<u>76</u>	NOTICE of filing of Supplement by PRISON LEGAL NEWS (Attachments: # <u>1</u> Declaration Of Adam K Cook)(Elder, Edward) (Entered: 06/17/2010)
06/23/2010	<u>77</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to PRISON LEGAL NEWS. Attorney Mara E. Verheyden-Hilliard; Carl L. Messineo and Radhika M.S. Miller terminated. (Messineo, Carl) (Entered: 06/23/2010)
08/02/2010	<u>78</u>	Memorandum in opposition to re <u>73</u> Cross MOTION for Summary Judgment <i>and Memorandum in Support of Summary Jugment</i> filed by PRISON LEGAL NEWS. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Declaration of Paul Wright, Exhibit 2, # <u>4</u> Exhibit Exhibit 3, # <u>5</u> Exhibit Exhibit 4, # <u>6</u> Exhibit Exhibit 5, # <u>7</u> Exhibit 6)(Elder, Edward) (Entered: 08/02/2010)
08/27/2010	<u>79</u>	Unopposed MOTION for Extension of Time to File Response/Reply to Plaintiff's Opposition to Defendant's Renewed Cross-Motion for Summary Judgment by HARLEY G. LAPPIN (Johnson, Wyneva) (Entered: 08/27/2010)
09/01/2010	<u>80</u>	REPLY to opposition to motion re <u>73</u> Cross MOTION for Summary Judgment <i>and Memorandum in Support (Defendant's Reply to Plaintiff's Opposition to Defendant's Renewed Cross-motion for Summary Judgment and Plaintiff's Renewed Motion for Summary Judgment)</i> filed by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Affidavit Supplemental Declaration of Wilson J. Mooror (5-14-10 with Vaughn Index), # <u>2</u> Affidavit Supplemental Declaration of Wilson J. Mooror (5-28-10), # <u>3</u> Affidavit Third Supplemental Declaration of Wilson J. Mooror (9-1-10))(Johnson, Wyneva) (Entered: 09/01/2010)
10/11/2010	<u>81</u>	RESPONSE To Defendant's Reply filed by PRISON LEGAL NEWS. (Attachments: # <u>1</u> Exhibit Exhibit 2, # <u>2</u> Exhibit Exhibit 3, # <u>3</u> Exhibit Exhibit 4)(Elder, Edward) (Entered: 10/11/2010)
02/25/2011	<u>82</u>	ORDER granting in part and denying in part <u>73</u> Defendant's Motion for Summary Judgment; finding as moot <u>79</u> Motion for Extension of Time to File Response/Reply. As explained in the attached Order and in the Memorandum Opinion of this same date, it is hereby ORDERED that the plaintiff's motion for summary judgment is GRANTED IN PART AND DENIED IN PART. It is further ORDERED that the defendant's motion for summary judgment is GRANTED IN PART AND DENIED IN PART. It is further ORDERED that the Bureau shall, within 90 days of the issuance of this Order, submit a new or supplemental Vaughn index meeting the specifications set forth in the Memorandum Opinion issued by the Court on this same date. It is further ORDERED that the plaintiff, should it continue to object to the defendant's reliance on FOIA exemptions to withhold or redact records responsive to its FOIA request after receiving the updated Vaughn index, shall move for summary judgment within 45 days of the filing of the new or

		supplemental Vaughn index. It is further ORDERED that the defendant shall file its opposition and cross-motion for summary judgment no later than 30 days after the filing of the plaintiff's motion. It is further ORDERED that the plaintiff shall file its opposition to the defendant's cross-motion for summary judgment no later than fifteen days after that motion is filed. Signed by Judge Reggie B. Walton on 2/25/2011. (lcrbw2) (Entered: 02/25/2011)
02/25/2011	<u>83</u>	MEMORANDUM AND OPINION. This Memorandum Opinion accompanies the Order of this same date. Signed by Judge Reggie B. Walton on 2/25/2011. (lcrbw2) (Entered: 02/25/2011)
04/29/2011	<u>84</u>	Consent MOTION for Leave to File Excess Pages <i>for Defendant's Response to the February 25, 2011 Court Order</i> by HARLEY G. LAPPIN (Johnson, Wyneva) (Entered: 04/29/2011)
05/26/2011	<u>85</u>	RESPONSE TO ORDER OF THE COURT re <u>82</u> Order on Motion for Summary Judgment, Order on Motion for Extension of Time to File Response/Reply,,,,,,,,, filed by HARLEY G. LAPPIN. (Attachments: # <u>1</u> Affidavit Fourth Supplemental Declaration of Wilson J. Moorer)(Johnson, Wyneva) (Entered: 05/26/2011)
05/26/2011	86	Supplemental Notice of Vaughn Index from defendant. (See Docket Entry <u>85</u> to view document). (td,) Modified on 5/31/2011 (znmw,). (Entered: 05/27/2011)
05/31/2011	<u>87</u>	ORDER denying <u>84</u> Motion for Leave to File Excess Pages. As explained in the attached Order, the page limitations imposed by Local Civil Rule 7(e) do not apply, and it is hereby ORDERED that the defendant's motion is DENIED AS MOOT. Signed by Judge Reggie B. Walton on 5/31/2011. (lcrbw2) (Entered: 05/31/2011)
07/08/2011	<u>88</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Edward J. Elder on behalf of PRISON LEGAL NEWS Substituting for attorney Adam K Cook (Elder, Edward) (Entered: 07/08/2011)
07/10/2011	<u>89</u>	MOTION for Extension of Time to File <i>Motion for Summary Judgement</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Text of Proposed Order)(Elder, Edward) (Entered: 07/10/2011)
07/11/2011		MINUTE ORDER granting <u>89</u> Motion for Extension of Time to File. In light of the parties' consent, and for good cause shown, the motion is GRANTED. It is hereby ORDERED that the plaintiff shall file its motion on or before July 25, 2011, and that the defendant shall file its opposition and cross-motion on or before August 24, 2011. Signed by Judge Reggie B. Walton on 7/11/2011. (lcrbw2) (Entered: 07/11/2011)
07/11/2011		NOTICE OF ERROR re <u>88</u> Substitution of Counsel; emailed to edelder@mindspring.com, cc'd 5 associated attorneys -- The PDF file you docketed contained errors: 1. Need a Motion for leave to appear Pro Hac Vice for Lance Weber (td,) (Entered: 07/11/2011)
07/11/2011		Set/Reset Deadlines: Motions due by 7/25/2011; Opposition/Cross Motion due by 8/24/2011. (mpt,) (Entered: 07/11/2011)
07/14/2011	<u>90</u>	Consent MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Lance Weber, :Firm- Human Rights Defense Center, :Address- 1037 Western Avenue, West Brattleboro, VT 05303. Phone No. - (802) 257-1342. Fax No. - (866) 735-7136 by PRISON LEGAL NEWS (Attachments: # <u>1</u> Declaration of Lance Weber, # <u>2</u> Text of Proposed Order)(Elder, Edward) (Entered: 07/14/2011)
07/19/2011		MINUTE ORDER granting <u>90</u> Motion for Leave to Appear Pro Hac Vice. Upon consideration of the motion and its satisfaction of LCvR 83.2(d), and finding good cause to grant the relief requested, the motion is granted. Lance T. Weber shall be admitted pro hac vice to appear and be heard in this case. Signed by Judge Reggie B. Walton on 7/19/2011. (lcrbw2) (Entered: 07/19/2011)
07/25/2011	<u>91</u>	Consent MOTION for Extension of Time to File <i>Summary Judgment</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Text of Proposed Order)(Elder, Edward); Modified on 7/26/2011 to add linkage to exhibits 1-102 (td,). (Entered: 07/25/2011)

07/25/2011	<u>92</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Edward J. Elder on behalf of PRISON LEGAL NEWS Substituting for attorney Lance Weber (Elder, Edward) (Entered: 07/25/2011)
07/25/2011	<u>93</u>	MOTION for Summary Judgment by PRISON LEGAL NEWS (Attachments: # <u>1</u> Declaration of Paul Wright, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5)(Elder, Edward) (Entered: 07/25/2011)
07/25/2011	<u>94</u>	Exhibits 6–8 to MOTION for Summary Judgment <u>93</u> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Exhibit 7, # <u>2</u> Exhibit 8)(Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/25/2011)
07/25/2011	<u>95</u>	Exhibits 9–28 to MOTION for Summary Judgment <u>93</u> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Exhibit 10, # <u>2</u> Exhibit 11, # <u>3</u> Exhibit 12, # <u>4</u> Exhibit 13, # <u>5</u> Exhibit 14, # <u>6</u> Exhibit 15, # <u>7</u> Exhibit 16, # <u>8</u> Exhibit 17, # <u>9</u> Exhibit 18, # <u>10</u> Exhibit 19, # <u>11</u> Exhibit 20, # <u>12</u> Exhibit 21, # <u>13</u> Exhibit 22, # <u>14</u> Exhibit 23, # <u>15</u> Exhibit 24, # <u>16</u> Exhibit 25, # <u>17</u> Exhibit 26, # <u>18</u> Exhibit 27, # <u>19</u> Exhibit 28)(Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/25/2011)
07/25/2011	<u>96</u>	Exhibits 29–31 to MOTION for Summary Judgment <u>93</u> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Exhibit 30, # <u>2</u> Exhibit 31)(Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/25/2011)
07/25/2011	<u>97</u>	Exhibits 32–35 to MOTION for Summary Judgment <u>93</u> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Exhibit 33, # <u>2</u> Exhibit 34, # <u>3</u> Exhibit 35)(Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/25/2011)
07/25/2011	<u>98</u>	Exhibit 36 MOTION for Summary Judgment <u>93</u> by PRISON LEGAL NEWS (Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/25/2011)
07/26/2011	<u>99</u>	Proposed Order, Statement of Fact, Memo in Support and Exhibits 37–45 MOTION for Summary Judgment <u>93</u> <i>Text of Proposed Order</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit 37, # <u>4</u> Exhibit 38, # <u>5</u> Exhibit 39, # <u>6</u> Exhibit 40, # <u>7</u> Exhibit 41, # <u>8</u> Exhibit 42, # <u>9</u> Exhibit 43, # <u>10</u> Exhibit 44, # <u>11</u> Exhibit 45)(Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/26/2011)
07/26/2011	<u>100</u>	Exhibits 46–55 MOTION for Summary Judgment <u>93</u> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Exhibit 47, # <u>2</u> Exhibit 48, # <u>3</u> Exhibit 49, # <u>4</u> Exhibit 50, # <u>5</u> Exhibit 51, # <u>6</u> Exhibit 52, # <u>7</u> Exhibit 53, # <u>8</u> Exhibit 54, # <u>9</u> Exhibit 55)(Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/26/2011)
07/26/2011	<u>101</u>	Exhibits 56–70 MOTION for Summary Judgment <u>93</u> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Exhibit 57, # <u>2</u> Exhibit 58, # <u>3</u> Exhibit 59, # <u>4</u> Exhibit 60, # <u>5</u> Exhibit 61, # <u>6</u> Exhibit 62, # <u>7</u> Exhibit 63, # <u>8</u> Exhibit 64, # <u>9</u> Exhibit 65, # <u>10</u> Exhibit 66, # <u>11</u> Exhibit 67, # <u>12</u> Exhibit 68, # <u>13</u> Exhibit 69, # <u>14</u> Exhibit 70)(Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/26/2011)
07/26/2011	<u>102</u>	Exhibits 71–85 MOTION for Summary Judgment <u>93</u> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Exhibit 72, # <u>2</u> Exhibit 73, # <u>3</u> Exhibit 74, # <u>4</u> Exhibit 75, # <u>5</u> Exhibit 76, # <u>6</u> Exhibit 77, # <u>7</u> Exhibit 78, # <u>8</u> Exhibit 79, # <u>9</u> Exhibit 80, # <u>10</u> Exhibit 81, # <u>11</u> Exhibit 82, # <u>12</u> Exhibit 83, # <u>13</u> Exhibit 84, # <u>14</u> Exhibit 85)(Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/26/2011)
07/26/2011	<u>103</u>	Exhibits 86–102 to MOTION for Summary Judgment <u>93</u> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Exhibit 87, # <u>2</u> Exhibit 88, # <u>3</u> Exhibit 89, # <u>4</u> Exhibit 90, # <u>5</u> Exhibit 91, # <u>6</u> Exhibit 92, # <u>7</u> Exhibit 93, # <u>8</u> Exhibit 94, # <u>9</u> Exhibit 95, # <u>10</u> Exhibit 96, # <u>11</u> Exhibit 97, # <u>12</u> Exhibit 98, # <u>13</u> Exhibit 99, # <u>14</u> Exhibit 100, # <u>15</u> Exhibit 101, # <u>16</u> Exhibit 102)(Elder, Edward) Modified on 7/26/2011 (td,). (Entered: 07/26/2011)
07/26/2011		MINUTE ORDER finding as moot <u>91</u> Motion for Extension of Time to File. The plaintiff's motion for an extension was filed on the date its motion for summary judgment was due. Before the Court could act on the motion for an extension, the plaintiff filed its motion for summary judgment and numerous attachments and exhibits, thus mooting the need for an extension. The attachments filed in the early hours of July 26, 2011, rather than July 25, 2011, will be deemed timely filed. Signed by Judge Reggie B. Walton on 7/26/2011. (lcrbw2) (Entered: 07/26/2011)

08/03/2011	<u>104</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>93</u> MOTION for Summary Judgment by HARLEY G. LAPPIN (Johnson, Wyneva) (Entered: 08/03/2011)
08/04/2011		MINUTE ORDER granting <u>104</u> Motion for Extension of Time to File Response/Reply. In light of the parties' consent, the motion is GRANTED. It is hereby ORDERED that the defendant shall respond to the plaintiff's motion for summary judgment on or before September 16, 2011. Signed by Judge Reggie B. Walton on 8/4/2011. (lcrbw2) (Entered: 08/04/2011)
08/05/2011		Set/Reset Deadlines: Defendant's Response to Plaintiff's Motion for Summary Judgment due by 9/16/2011. (mpt,) (Entered: 08/05/2011)
09/12/2011	<u>105</u>	Consent MOTION for Extension of Time to File Response/Reply to <i>Plaintiffs Fourth Motion for Summary Judgment</i> by HARLEY G. LAPPIN (Attachments: # <u>1</u> Affidavit Declaration of Wanda M. Hunt, # <u>2</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 09/12/2011)
09/14/2011		MINUTE ORDER granting <u>105</u> Motion for Extension of Time to File Response/Reply. In light of the parties' consent, and for good cause shown, the motion is granted. The defendant shall file its reply on or before October 31, 2011. Signed by Judge Reggie B. Walton on 9/14/2011. (lcrbw2) (Entered: 09/14/2011)
09/15/2011		Set/Reset Deadlines: Reply on or before due by 10/31/2011. (mpt,) (Entered: 09/15/2011)
10/26/2011	<u>106</u>	Consent MOTION for Extension of Time to <i>Release Documents and for Further Briefing</i> by HARLEY G. LAPPIN (Johnson, Wyneva) (Entered: 10/26/2011)
10/28/2011		MINUTE ORDER granting <u>106</u> Motion for Extension of Time. In light of the parties' consent, and for good cause shown, the motion is GRANTED. It is hereby ORDERED that the defendant file its opposition on or before December 12, 2011, and that the plaintiff file its reply on or before January 31, 2012. Signed by Judge Reggie B. Walton on 10/28/2011. (lcrbw2) (Entered: 10/28/2011)
10/28/2011		Set/Reset Deadlines: Opposition due by 12/12/2011; Reply due by 1/31/2012. (mpt) (Entered: 10/28/2011)
12/07/2011	<u>107</u>	Consent MOTION for Extension of Time to <i>Briefing Schedule</i> by HARLEY G. LAPPIN (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 12/07/2011)
12/08/2011		MINUTE ORDER denying without prejudice <u>93</u> Motion for Summary Judgment; granting <u>107</u> Motion for Extension of Time. In light of the parties' consent, the current briefing schedule is hereby suspended. For administrative purposes, the pending motion for summary judgment is denied without prejudice, and shall be subject to reinstatement upon request of the parties. The parties shall file a status report with the Court on or before January 17, 2012. Signed by Judge Reggie B. Walton on 12/8/2011. (lcrbw2) (Entered: 12/08/2011)
12/08/2011		Set/Reset Deadlines: Status Report due by 1/17/2012 (mpt) (Entered: 12/08/2011)
01/17/2012	<u>108</u>	STATUS REPORT <i>JOINT</i> by HARLEY G. LAPPIN. (Johnson, Wyneva) (Entered: 01/17/2012)
01/19/2012		MINUTE ORDER. In light of the representations made in the parties' January 17, 2012 Joint Status Report, it is hereby ORDERED that the parties shall file a status report and briefing schedule on or before January 24, 2012. Signed by Judge Reggie B. Walton on 1/19/2012. (lcrbw2) (Entered: 01/19/2012)
01/23/2012		Set/Reset Deadlines: Status Report and Briefing Schedule due by 1/24/2012 (mpt) (Entered: 01/23/2012)
01/24/2012	<u>109</u>	STATUS REPORT <i>JOINT</i> by HARLEY G. LAPPIN. (Johnson, Wyneva) (Entered: 01/24/2012)
01/25/2012		MINUTE ORDER. In light of the representations made in the parties' January 24, 2012 Joint Status Report, it is hereby ORDERED that that the plaintiff shall file its motion for summary judgment on or before March 26, 2012; that the defendant

		shall file his cross-motion and opposition on or before April 25, 2012; that the plaintiff shall file its opposition to the defendant's cross-motion on or before May 10, 2012; and that the defendant shall file his reply to the plaintiff's opposition on or before May 24, 2012. Signed by Judge Reggie B. Walton on 1/25/2012. (lcrbw2) (Entered: 01/25/2012)
01/25/2012		Set/Reset Deadlines: Motion for Summary Judgment due by 3/26/12; Opposition and Cross Motion due by 4/25/12; Reply to Opposition and Opposition to Cross Motion due by 5/10/12; Reply to Cross Motion due by 5/24/12. (mpt) (Entered: 01/25/2012)
03/26/2012	<u>110</u>	MOTION for Summary Judgment <i>the fifth</i> by PRISON LEGAL NEWS (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order, # <u>4</u> Declaration 2nd Supplemental Declaration of Paul Wright, # <u>5</u> Exhibit 1, # <u>6</u> Exhibit 2, # <u>7</u> Exhibit 3, # <u>8</u> Exhibit 4, # <u>9</u> Exhibit 5, # <u>10</u> Exhibit 6, # <u>11</u> Exhibit 7, # <u>12</u> Exhibit 8, # <u>13</u> Exhibit 9, # <u>14</u> Exhibit 10, # <u>15</u> Exhibit 11, # <u>16</u> Exhibit 12, # <u>17</u> Exhibit 13, # <u>18</u> Exhibit 14, # <u>19</u> Exhibit 15, # <u>20</u> Exhibit 16, # <u>21</u> Exhibit 17, # <u>22</u> Exhibit 18, # <u>23</u> Exhibit 19, # <u>24</u> Exhibit 20, # <u>25</u> Exhibit 21, # <u>26</u> Exhibit 22, # <u>27</u> Exhibit 23, # <u>28</u> Exhibit 24, # <u>29</u> Exhibit 25, # <u>30</u> Exhibit 26, # <u>31</u> Exhibit 27, # <u>32</u> Exhibit 28, # <u>33</u> Exhibit 29, # <u>34</u> Exhibit 30, # <u>35</u> Exhibit 31, # <u>36</u> Exhibit 32, # <u>37</u> Exhibit 33, # <u>38</u> Exhibit 34, # <u>39</u> Exhibit 35, # <u>40</u> Exhibit 36, # <u>41</u> Exhibit 37, # <u>42</u> Exhibit 38, # <u>43</u> Exhibit 39, # <u>44</u> Exhibit 40, # <u>45</u> Exhibit 41, # <u>46</u> Exhibit 42, # <u>47</u> Exhibit 43, # <u>48</u> Exhibit 44, # <u>49</u> Exhibit 45, # <u>50</u> Exhibit 46, # <u>51</u> Exhibit 47, # <u>52</u> Exhibit 48, # <u>53</u> Exhibit 49, # <u>54</u> Exhibit 50, # <u>55</u> Exhibit 51, # <u>56</u> Exhibit 52, # <u>57</u> Exhibit 53, # <u>58</u> Exhibit 54, # <u>59</u> Exhibit 55, # <u>60</u> Exhibit 56, # <u>61</u> Exhibit 57, # <u>62</u> Exhibit 58, # <u>63</u> Exhibit 59, # <u>64</u> Exhibit 60, # <u>65</u> Exhibit 61, # <u>66</u> Exhibit 62, # <u>67</u> Exhibit 63, # <u>68</u> Exhibit 64, # <u>69</u> Exhibit 65, # <u>70</u> Exhibit 66, # <u>71</u> Exhibit 67, # <u>72</u> Exhibit 68, # <u>73</u> Exhibit 69, # <u>74</u> Exhibit 70, # <u>75</u> Exhibit 71, # <u>76</u> Exhibit 72, # <u>77</u> Exhibit 73, # <u>78</u> Exhibit 74, # <u>79</u> Exhibit 75, # <u>80</u> Exhibit 76, # <u>81</u> Exhibit 77, # <u>82</u> Exhibit 78, # <u>83</u> Exhibit 79, # <u>84</u> Exhibit 80, # <u>85</u> Exhibit 81, # <u>86</u> Exhibit 82, # <u>87</u> Exhibit 83, # <u>88</u> Exhibit 84, # <u>89</u> Exhibit 85, # <u>90</u> Exhibit 86, # <u>91</u> Exhibit 87, # <u>92</u> Exhibit 88, # <u>93</u> Exhibit 89, # <u>94</u> Exhibit 90, # <u>95</u> Exhibit 91, # <u>96</u> Exhibit 92, # <u>97</u> Exhibit 93, # <u>98</u> Exhibit 94, # <u>99</u> Exhibit 95, # <u>100</u> Exhibit 96, # <u>101</u> Exhibit 97, # <u>102</u> Exhibit 98, # <u>103</u> Exhibit 99, # <u>104</u> Exhibit 100, # <u>105</u> Exhibit 101, # <u>106</u> Exhibit 102, # <u>107</u> Exhibit 103, # <u>108</u> Exhibit 104, # <u>109</u> Exhibit 105, # <u>110</u> Exhibit 106)(Elder, Edward) (Entered: 03/26/2012)
04/25/2012	<u>111</u>	Cross MOTION for Summary Judgment by HARLEY G. LAPPIN (Attachments: # <u>1</u> Affidavit Declaration of Clinton Stroble, # <u>2</u> Affidavit Fourth Supplemental Declaration of Wilson J. Moorner, # <u>3</u> Defendant's Response to Statement of Material Facts as to Which There Is No Material Issue in Support of Plaintiff's Fifth Motion for Summary Judgment, # <u>4</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 04/25/2012)
04/25/2012	<u>112</u>	Memorandum in opposition to re <u>110</u> MOTION for Summary Judgment <i>the fifth</i> filed by HARLEY G. LAPPIN. (Johnson, Wyneva) (Entered: 04/25/2012)
04/25/2012	<u>113</u>	MOTION for Extension of Time to <i>file exhibits in support of Defendant's Cross-Motion for Summary Judgment and Opposition to Plaintiff's Fifth Motion for Summary Judgment</i> by HARLEY G. LAPPIN (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Wyneva) (Entered: 04/25/2012)
04/26/2012	<u>114</u>	NOTICE of Filing of Defendant's Exhibits by HARLEY G. LAPPIN re <u>111</u> Cross MOTION for Summary Judgment, <u>112</u> Memorandum in Opposition (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36, # <u>37</u> Exhibit 37, # <u>38</u> Exhibit 38, # <u>39</u> Exhibit 39, # <u>40</u> Exhibit 40, # <u>41</u> Exhibit 41, # <u>42</u> Exhibit 42, # <u>43</u> Exhibit 43, # <u>44</u> Exhibit 44, # <u>45</u> Exhibit 45, # <u>46</u> Exhibit 46, # <u>47</u> Exhibit 47, # <u>48</u> Exhibit 48, # <u>49</u> Exhibit 49, # <u>50</u> Exhibit 50, # <u>51</u> Exhibit 51, # <u>52</u> Exhibit 52, # <u>53</u> Exhibit 53, # <u>54</u> Exhibit 54, # <u>55</u> Exhibit 55, # <u>56</u> Exhibit 56, # <u>57</u> Exhibit 57, # <u>58</u> Exhibit 58, # <u>59</u> Exhibit 59, # <u>60</u> Exhibit 60, # <u>61</u> Exhibit 61, # <u>62</u>

		Exhibit 62, # <u>63</u> Exhibit 63, # <u>64</u> Exhibit 64, # <u>65</u> Exhibit 65, # <u>66</u> Exhibit 66, # <u>67</u> Exhibit 67, # <u>68</u> Exhibit 68, # <u>69</u> Exhibit 69, # <u>70</u> Exhibit 70, # <u>71</u> Exhibit 71, # <u>72</u> Exhibit 72, # <u>73</u> Exhibit 73, # <u>74</u> Exhibit 74, # <u>75</u> Exhibit 75, # <u>76</u> Exhibit 76, # <u>77</u> Exhibit 77, # <u>78</u> Exhibit 78, # <u>79</u> Exhibit 79, # <u>80</u> Exhibit 80, # <u>81</u> Exhibit 81, # <u>82</u> Exhibit 82, # <u>83</u> Exhibit 83, # <u>84</u> Exhibit 84, # <u>85</u> Exhibit 85, # <u>86</u> Exhibit 86, # <u>87</u> Exhibit 87, # <u>88</u> Exhibit 88, # <u>89</u> Exhibit 89, # <u>90</u> Exhibit 90, # <u>91</u> Exhibit 91, # <u>92</u> Exhibit 92, # <u>93</u> Exhibit 93, # <u>94</u> Exhibit 94, # <u>95</u> Exhibit 95, # <u>96</u> Exhibit 96, # <u>97</u> Exhibit 97, # <u>98</u> Exhibit 98, # <u>99</u> Exhibit 99, # <u>100</u> Exhibit 100, # <u>101</u> Exhibit 101, # <u>102</u> Exhibit 102)(Johnson, Wyneva) (Entered: 04/26/2012)
04/30/2012		MINUTE ORDER granting nunc pro tunc <u>113</u> Motion for Extension of Time. The motion is GRANTED nunc pro tunc to April 25, 2012. Signed by Judge Reggie B. Walton on 4/30/2012. (lrbw2) (Entered: 04/30/2012)